

LEGISLATURE OF NEBRASKA  
NINETY-SIXTH LEGISLATURE  
SECOND SESSION  
**LEGISLATIVE BILL 480**  
FINAL READING

Introduced by Schimek, 27; Beutler, 28; Dierks, 40; Hudkins, 21;  
Preister, 5; Robak, 22; Stuhr, 24; Suttle, 10;  
Thompson, 14; Price, 26; Chambers, 11

Read first time January 14, 1999

Committee: Health and Human Services

A BILL

- 1 FOR AN ACT relating to women's health; to create the Women's Health
- 2 Initiative of Nebraska; to create an advisory council and
- 3 a fund; and to provide duties.
- 4 Be it enacted by the people of the State of Nebraska,

1           Section 1. The Women's Health Initiative of Nebraska is  
2     created within the Department of Health and Human Services. The  
3     Women's Health Initiative of Nebraska shall strive to improve the  
4     health of women in Nebraska by fostering the development of a  
5     comprehensive system of coordinated services, policy development,  
6     advocacy, and education. The initiative shall:

7           (1) Serve as a clearinghouse for information regarding  
8     women's health issues, including pregnancy, breast and cervical  
9     cancers, acquired immunodeficiency syndrome, osteoporosis,  
10    menopause, heart disease, smoking, and mental health issues as well  
11    as other issues that impact women's health, including substance  
12    abuse, domestic violence, teenage pregnancy, sexual assault,  
13    adequacy of health insurance, access to primary and preventative  
14    health care, and rural and ethnic disparities in health outcomes;

15          (2) Perform strategic planning within the Department of  
16    Health and Human Services, the Department of Health and Human  
17    Services Regulation and Licensure, and the Department of Health and  
18    Human Services Finance and Support to develop department-wide plans  
19    for implementation of goals and objectives for women's health;

20          (3) Conduct department-wide policy analysis on specific  
21    issues related to women's health;

22          (4) Coordinate pilot projects and planning projects  
23    funded by the state that are related to women's health;

24          (5) Communicate and disseminate information and perform a  
25    liaison function within the departments and to providers of health,  
26    social, educational, and support services to women;

27          (6) Provide technical assistance to communities, other  
28    public entities, and private entities for initiatives in women's

1 health, including, but not limited to, community health assessment  
2 and strategic planning and identification of sources of funding and  
3 assistance with writing of grants; and

4 (7) Encourage innovative responses by public and private  
5 entities that are attempting to address women's health issues.

6 Sec. 2. (1) The Women's Health Initiative Advisory  
7 Council is created and shall consist of not more than thirty  
8 members, at least three-fourths of whom are women. At least one  
9 member shall be appointed from the following disciplines: (a) An  
10 obstetrician/gynecologist; (b) a nurse practitioner or physician's  
11 assistant from a rural community; (c) a geriatrics physician or  
12 nurse; (d) a pediatrician; (e) a community public health  
13 representative from each congressional district; (f) a health  
14 educator; (g) an insurance industry representative; (h) a mental  
15 health professional; (i) a representative from a statewide health  
16 volunteer agency; (j) a private health care industry  
17 representative; (k) an epidemiologist or a health statistician; (l)  
18 a foundation representative; and (m) a woman who is a health care  
19 consumer from each of the following age categories: Eighteen to  
20 thirty; thirty-one to forty; forty-one to sixty-five; and sixty-six  
21 and older. The membership shall also include a representative of  
22 the University of Nebraska Medical Center, a representative from  
23 Creighton Medical School, the executive director of the Nebraska  
24 Commission on the Status of Women or his or her designee, the chief  
25 medical officer of the Department of Health and Human Services  
26 Regulation and Licensure, and the Title V Director of the  
27 Department of Health and Human Services.

28 (2) The Governor shall appoint advisory council members

1 and shall consider and attempt to balance representation based on  
2 political party affiliation, race, and different geographical areas  
3 of Nebraska when making appointments. The Governor shall appoint  
4 the first chairperson and vice-chairperson of the advisory council.  
5 There shall be two ex officio, nonvoting members from the  
6 Legislature, one of which shall be the chairperson of the Health  
7 and Human Services Committee.

8 (3) The terms of the initial members shall be as follows:  
9 One-third shall serve for one-year terms, one-third shall serve for  
10 two-year terms, and one-third shall serve for three-year terms  
11 including the members designated chairperson and vice-chairperson.  
12 Thereafter members shall serve for three-year terms. Members may  
13 not serve more than two consecutive three-year terms.

14 (4) The Governor shall make the appointments within three  
15 months after the effective date of this act.

16 (5) The advisory council shall meet quarterly the first  
17 two years. After this time the advisory council shall meet at  
18 least every six months or upon the call of the chairperson or a  
19 majority of the voting members. A quorum shall be one-half of the  
20 voting members.

21 (6) The members of the advisory council shall be  
22 reimbursed for their actual and necessary expenses as provided in  
23 sections 81-1174 to 81-1177 and pursuant to policies of the  
24 advisory council. Funds for reimbursement for expenses shall be  
25 from the Women's Health Initiative Fund.

26 (7) The advisory council shall advise the Women's Health  
27 Initiative of Nebraska in carrying out its duties under section 1  
28 of this act and may solicit private funds to support the

1 initiative.

2 (8) The advisory council terminates on December 31, 2004.

3 Sec. 3. The Director of Health and Human Services will  
4 determine how the Department of Health and Human Services will  
5 provide personnel to carry out the Women's Health Initiative of  
6 Nebraska. The Director of Health and Human Services shall employ  
7 personnel, including an executive director, necessary to carry out  
8 the powers and duties of the initiative. The Governor's Policy  
9 Research Office, the Department of Health and Human Services  
10 Finance and Support, the Department of Health and Human Services  
11 Regulation and Licensure, the Department of Health and Human  
12 Services, and other state agencies as necessary may provide  
13 administrative and technical support under the direct supervision  
14 of the Governor. The initiative may secure cooperation and  
15 assistance of other appropriate government and private-sector  
16 entities for women's health issues, programs, and educational  
17 materials.

18 Sec. 4. The Legislature recognizes the generosity of its  
19 citizens and charitable organizations that donate their time and  
20 money to provide funds to their fellow citizens. It is the intent  
21 of the Legislature to permit the Women's Health Initiative of  
22 Nebraska to obtain and expend such funds to carry out the purposes  
23 of sections 1 to 7 of this act. Private citizens and charitable  
24 organizations may donate and grant funds to the Women's Health  
25 Initiative of Nebraska to pay for programs, educational materials,  
26 promotions, and other activities undertaken by the initiative.

27 Sec. 5. The Women's Health Initiative Fund is created.  
28 The fund shall consist of money received as gifts or grants or

1 collected as fees or charges from any federal, state, public, or  
2 private source. Money in the fund shall be used to reimburse the  
3 expenses of the Women's Health Initiative of Nebraska and expenses  
4 of members of the Women's Health Initiative Advisory Council.  
5 Nothing in sections 1 to 7 of this act requires the Women's Health  
6 Initiative of Nebraska to accept any private donations that are not  
7 in keeping with the goals and objectives set forth by the  
8 initiative and the Department of Health and Human Services. No  
9 funds expended or received by or through the initiative shall pay  
10 for abortion referral or abortion services. Any money in the fund  
11 available for investment shall be invested by the state investment  
12 officer pursuant to the Nebraska Capital Expansion Act and the  
13 Nebraska State Funds Investment Act.

14           Sec. 6. The Department of Health and Human Services  
15 shall have all powers necessary to implement the purposes and  
16 intent of sections 1 to 7 of this act, including applying for,  
17 receiving, and administering federal and other public and private  
18 funds credited to the Women's Health Initiative Fund. Any funds  
19 obtained for the Women's Health Initiative of Nebraska shall be  
20 remitted to the State Treasurer for credit to the Women's Health  
21 Initiative Fund.

22           Sec. 7. The Department of Health and Human Services  
23 shall issue an annual report to the Governor and the Legislature on  
24 September 1 for the preceding fiscal year's activities of the  
25 Women's Health Initiative of Nebraska. The report shall include  
26 progress reports on any programs, activities, or educational  
27 promotions that were undertaken by the initiative. The report  
28 shall also include a status report on women's health in Nebraska

LB 480

LB 480

1 and any results achieved by the initiative.